

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

David Gevas,)
)
)
Plaintiff,) No. 08 C 3074
)
)
v.) Hon. Ronald A. Guzman
)
Terry McCann, et al.,)
)
)
Defendants.)

**PLAINTIFF'S MOTION IN LIMINE TO BAR ANY
REFERENCE TO OTHER CASES HE HAS BROUGHT**

Plaintiff David Gevas moves this Court to enter an order barring any reference to the existence of other civil cases he has brought. In support of this motion, Mr. Gevas states as follows:

1. Mr. Gevas has brought other civil cases besides this one.
2. Evidence of such other cases is inadmissible under Rule 404(b) of the Federal Rules of Evidence to show Gevas's propensity to file lawsuits. *Mathis v. Phillips Chevrolet, Inc.*, 269 F.3d 771, 775 (7th Cir. 2001).
3. Even were evidence of Gevas's other lawsuits admissible, it would be barred under Rule 403 because any probative value it would have “is outweighed by the substantial danger of jury bias against the chronic litigant,” and because this Court ought to be “reluctant to plunge into a series of mini-trials on the merits of each of the prior suits.” *Mathis*, 269 F.3d at 776.
4. Evidence of such other cases is also irrelevant to suggesting that this case is somehow frivolous. This case is not, as, for example, the Seventh Circuit has held. *Gevas v. Mitchell*, 492 F. App'x 654 (7th Cir. 2012).

5. A timely objection will not erase the unfairly prejudicial effect this evidence would have during the jury's consideration of relevant evidence and testimony proffered at trial.

WHEREFORE, for the reasons set forth above, Mr. Gevas respectfully requests that the Court enter an order barring any reference to other cases he has brought.

Dated: June 9, 2014

Respectfully submitted,

Plaintiff David Gevas,

By: /s/ Justin R. Donoho
One of His Attorneys

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CERTIFICATE OF SERVICE

I, Justin R. Donoho, an attorney, hereby certify that on June 9, 2014, I caused a true and correct copy of the foregoing **PLAINTIFF'S MOTION IN LIMINE TO BAR ANY REFERENCE TO OTHER CASES HE HAS BROUGHT** to be served on the following counsel via ECF pursuant to the General Order on Electronic Filing of the United States District Court, Northern District of Illinois:

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